

Attorney Docket No. T2147-906522

REMARKS

Applicants respectfully request reconsideration of this application as amended.

Entry of this Amendment is proper under 37 C.F.R. §1.116 since the Amendment:

a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issues requiring further search and/or consideration since the Amendment amplifies issues previously discussed throughout prosecution; c) does not present any additional claims without canceling a corresponding number of finally rejected claims; and d) places the application in better form for appeal, should an appeal be necessary. Entry of the Amendment is thus respectfully requested.

The claims have generally been amended to remove artifacts of European practice and to insure Claims 29-37 satisfy all the requirements of 35 U.S.C. § 112, second paragraph.

The outstanding Office Action maintains the rejection of Claims 11-37 under 35 U.S.C. § 102(a). The Examiner asserts that in Timbol, "a class 'myPoint' is created, which is a copy of the base 'Point' class. This newly created class is a copy of the entire class tree structure that the 'Point' class contains." The Office Action further asserts, "the 'Point' class does contain an instance of a generic attribute class and an instance of a generic method class, the instance of the generic method class including an instance of a generic parameter class, as all Java classes and objects contain default generic instructors with default parameters which could be overloaded by the developer."

The relied upon portion of Timbol is found on column 2, lines 30-60 (which is reproduced below for the Examiner's convenience). In particular, Timbol states that each class file stores all the information for a particular Java class. A "class" in Java is a software construct which defines instance variables and methods, in effect, serving as a

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template for creating objects of a particular type. Timbol goes on to state that a very simple "point" class can be declared and serves as a template from which "point" objects can be instantiated.

Timbol further states that actual instantiation of an object occurs in a manner similar to that found in the C++ programming language. For example, a variable which refers to a "Point" object can be declared as follows: Point myPoint. An instance of a Point object is then allocated as follows: myPoint = new Point (). Thus, it is readily apparent that myPoint is a variable which refers to the Point object. An instance of the Point object is referred to as new Point.

30 The bytcodes are actually stored in "class" files. Each
class file stores all the information for a particular Java class.
A "class" in Java is a software construct which defines
instance variables and methods, in effect, serving as a
35 template for creating objects of a particular type. In this
regard, a Java class is akin to a C++ class. A very simple
"Point" class, for instance, may be declared as follows.

```
40 class Point {
    public double x; /* instance variable */
    public double y; /* instance variable */
}
```

45 This declaration serves as a template from which "Point"
objects can be instantiated.

Actual instantiation of an object occurs in a manner
similar to that found in the C++ programming language. For
example, a variable which refers to a "Point" object can be
50 declared as follows:

```
Point myPoint;
```

An instance of a point object is allocated as follows.

```
55 myPoint=new Point ();
```

Here, one can now access variables of the "Point" object,
using familiar "dot" notation for referring to the names of
the variables.

```
60 myPoint.x=10;
    myPoint.y=20;
```

However, there is absolutely no teaching or suggestion in this portion, nor any other portion of Timbol, for making a copy of an entire tree class as claimed.

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For example, as discussed in accordance with an exemplary embodiment of the specification of the present application, the tree represents all the objects directly or indirectly referenced by the class and/or object. Further, as discussed in relation to Figure 8 of the present application, the derivation method comprises, in a first step, serializing the class "C1" by copying it onto a disk D, for example a hard disk of machine 2A or 2B of the computer infrastructure 1 of Fig. 1, thus the entire tree 27A of the class, as illustrated in Fig. 7, will be duplicated and stored on the disk.

There is also absolutely no teaching or suggestion of these features in the Timbol reference.

Accordingly, the outstanding rejection is untenable and should be withdrawn. An early Notice of Allowance is thus respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is encouraged to contact Applicants undersigned representative at the telephone number listed below.

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The Commissioner is hereby authorized to charge to deposit account number 50-1165 (T2147-906522) any fees under 37 CFR § 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on April 15, 2004.

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